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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,173	12/06/2006	Mark J. Nixon	06005/41124	6808
45372 7590 01/07/2011 MARSHALL, GERSTEIN & BORUN LLP (FISHER) 233 SOUTH WACKER DRIVE 6300 WILLIS TOWER CHICAGO, IL 60606			EXAMINER BARNES-BULLOCK, CRYSTAL JOY	
			ART UNIT 2121	PAPER NUMBER
			NOTIFICATION DATE 01/07/2011	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mgbdocket@marshallip.com

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/575,173

Applicant(s)

NIXON ET AL.

Examiner

Crystal J. Barnes-Bullock

Art Unit

2121

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 December 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because:
a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
b) ☐ They raise the issue of new matter (see NOTE below);
c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

PTO-1449 Attached

/Crystal J. Barnes-Bullock/
Primary Examiner, Art Unit 2121

Continuation of 3. NOTE: the amendments to the claims raise new issues that require further consideration and search.

Continuation of 11. does NOT place the application in condition for allowance because: the Thurner et al. reference discloses a tree browser of the system, an editor for distributed workflows and/or data flows, a Web Based HMI GUI and a treeview of the basic objects to construct a system are shown. Other views (not displayed) enable the visualization, design and modification of business objects and business process, runtime GUIs, electrical and mechanical construction of the plant, diagnostic, maintenance, scheduling, information management, PLC-programming, batch design, recipe management, object mappings and project deployments. Views display different domain aspects of the manufacturing plant. All together the Multiple Coupled Browser Views of the present invention truly establishes a universal browser from business level to plant floor. In the first mode of operation, in more detail, provided by the present invention, the views are coupled Semantically. In the example given, a first coupled Group comprises the left view (L) with, for example, a Plant Hierarchy displayed, and the upper view (U) with, for example, the electrical wiring displayed corresponding to a cell of the Plant selected in the left view (L). In the example shown, there is provided a second coupled Group with a second Plant Hierarchy displayed in the right pane (R), a second electrical wiring diagram corresponding to a selected second cell of the second Plant Hierarchy in the middle pane (M) and, additionally, in the bottom pane (B) there is provided an electronic manual corresponding to second the electrical wiring diagram. In the particular Mode shown, there are two groups which are not coupled. Semantically coupled views could include the tree view of plant hierarchy, human machine interface of part of plant, physical plant layout, technological process view e.g. the brewing process, diagnostic view and documentation/help view, or any combination thereof. The advantage of providing a Semantic coupled group is that an Engineer can see different aspects of the same part of the plant at the same time and the workbench is taking over the work of refocusing. Similarly, and following the Semantic of the physical plant, a layout of the specific cell/unit/reactor which is responsible to execute the currently selected recipe procedure will automatically be displayed in the other view(s). The present invention can relate the diagnostic view of the specific cell/unit/reactor and the training manual on the specific cell/unit/reactor is visualized automatically while navigating through the recipe procedures. In this manner, maintenance of a Plant can be easily and quickly provided.

An Object Designer provides graphical design of objects in a number of different views, including Tree, Table, XML, and HTML views (see column 3 lines 45-47). The advantage of providing a Semantic coupled group is that an Engineer can see different aspects of the same part of the plant at the same time (see column 5 lines 15-17).

The specific cell/unit/reactor and the graphical design of objects taught by Thurner et al. reads on the graphic element and graphical element object, respectively, taught by the present application.